APPENDIX A

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

Cause No. 4:9:92CV1012 (TIA)

KIM BRANDT,
Plaintiff,

vs.

SHOP 'N SAVE,
Defendant.

St. Louis, Missouri
October 26, 1994
9:30 a.m.

TRANSCRIPT OF THE JURY TRIAL — VOLUME III
BEFORE THE HONORABLE TERRY I. ADELMAN
UNITED STATES MAGISTRATE JUDGE

TRANSCRIPT ORDERED BY: Robert Stewart

APPEARANCES:

For the Plaintiff:	William Moench 2256 South Grand, #3 St. Louis, Missouri 63104 (314) 773-3566
For the Defendant:	Robert Stewart 2730 North Ballas, #200 St. Louis, Missouri 63131 (314) 567-7350
Recorded By:	Lisa Lang, Court Recorder

Transcribed By: Deborah A. Carter

Deborah A. Carter
Carter Transcription Services
10426 Castle Drive
St. Louis, MO 63136
(314) 868-2611

* * *

[51]

ing the meat cutting trade, then we didn't need him. That we wanted to train somebody we could use in a management position.

Q. Alright. What else did you discuss during that meeting?

A. Well, I was impressed with the fact that he had supervised fifty unionized people at this screen door place where he had worked in the past. And Bob, even though Bob was from a family that come [sic] from a meat background, Bob didn't have a lot of experience in meat himself.

Q. What difference did that make?

A. Well, he knew what the job was going to be like. He knew what it was going to be like, but we wanted to train him. We didn't want to pick up any bad habits. We had gone through picking up a lot of Kroger people, after Kroger went out of St. Louis. And we had to train them our way, and sometimes old habits are hard to break, so.

Q. Alright. Did you discuss his education?

A. Yes, we did.

Q. And what did you learn?

A. He had some college background. I'd have to read it to refresh my memory on it, but, —

Q. Do you recall about how much management experience Mr. Frentzel had?

A. I don't remember how many years, and again, I'd have to read it to find out.

[52]

Q. When was the decision made to hire Bob Frentzel?

A. Pretty much right then. You know, I went to John and I told John, I says, "Hey, you know, looks like the perfect candidate".

Q. Why did you think Bob Frentzel was the perfect candidate?

A. Well, like I said, the thing most impressed me was he had management background where he had supervised fifty unionized employees. And that was probably a determining factor on him, as far as I was concerned.

Q. Alright. What sort of person was he in the interview?

A. Well, he was very upbeat and certainly had a good desire and good attitude, friendly person.

Q. So where were you when this decision to hire Bob Frentzel was made?

A. I was still in my office.

Q. And who else was there?

A. We had called John Dougherty over, Danny Howard was there.

Q. Who was selected to notify Bob Frentzel of his hire?

A. I think Mr. Dougherty done that.

Q. Okay. Let me show you what's been marked as Defendant's Exhibit X. Can you identify that document?

A. Yes. It's our Union Contract with Local 88.

Q. And did that cover the timeframe of 1989 through 1992?

* * *

[200]

Q. Okay. When was the decision made to hire Bob Frentzel?

A. Pretty quick after that, right after he left, —

Q. Okay.

A. — 'cause he had all of the qualifications we decided that we wanted.

Q. Okay. Now, when Bob Frentzel was hired, did you give any consideration to hiring Mrs. Brandt for that position?

A. No. I didn't know about it.

Q. Okay.

A. I didn't know she was interested, no.

Q. Okay. Did you learn, — I guess you did, you're here. Did you learn at some point that Mrs. Brandt had filed a lawsuit against the company?

A. Yeah.

Q. And when did you learn that?

A. I don't really remember, I think it was the summer of '93, something like that, after Bob went through the apprenticeship.

Q. Okay. Before you learned last summer that she filed a lawsuit, did you have any knowledge that she'd filed what's called a EEOC Charge against the company?

A. No sir.

Q. You know what an EEOC Charge is?

A. No sir.

Q. After Bob Frentzel was hired, has it ever been discussed

* * *